

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

0 Valuation of Security 0 Assumption of Executory Contract or Unexpired Lease 0 Lien Avoidance

Last revised: August 1, 2020

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:

KIM Y. WORTHINGTON,

Case No.:

18-28670 JKS

Judge:

John K. Sherwood, USBJ

Debtor(s)

Chapter 13 Plan and Motions

☐ Original

☒ Modified/Notice Required

Date: December 13, 2022

☐ Motions Included

☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: HR

Initial Debtor: KW

Initial Co-Debtor: _____

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ _____ ** per _____ MONTH _____ to the Chapter 13 Trustee, starting on
_____ OCTOBER OF 2018 _____ for approximately _____ 51 _____ months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☒ Other information that may be important relating to the payment and length of plan:

** i. \$20,464, paid in to date, through November of 2022 (Over Fifty (50) Months)

ii. \$1,918 for the month of December of 2022 (1 Month)

Part 2: Adequate Protection ☒ NONE

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ Supp. Counsel Fees
DOMESTIC SUPPORT OBLIGATION		

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ **NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☒ **NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

f. Secured Claims Unaffected by the Plan ☐ **NONE**

The following secured claims are unaffected by the Plan:

i. PHH Mortgage Corporation/New Rez, Servicer pertaining to mortgage held by HSBC Bank, USA, NA, as Trustee, continued payments, no arrears, mortgage was modified. Continued payments, by the Debtor, directly to PHH Mortgage Corporation, no arrears, final modification offered, accepted by the Debtor, and motion to approve modification filed.

g. Secured Claims to be Paid in Full Through the Plan: ☒ **NONE**

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims ☐ **NONE**

a. Not separately classified allowed non-priority unsecured claims shall be paid:

☐ Not less than \$ _____ to be distributed *pro rata*

☐ Not less than _____ percent

☒ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions ☒ NONE

NOTE: All plans containing motions must be served on all affected lienholders, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal*, and *valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☒ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ **NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☒ **NONE**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
- ☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Counsel Fees and Supp. Counsel Fees (Fully Paid before other claims)
- 3) Secured Claims and then Priority Claims
- 4) Unsecured Claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

NOTE: Modification of a plan does not require that a separate motion be filed. A modified plan must be served in accordance with D.N.J. LBR 3015-2.

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: September 29, 2022.

<p>Explain below why the plan is being modified:</p> <p>The final mortgage modification was provided and a motion to approve the modification was filed. The plan no longer must provide for a cure, since the arrearage is being included in the new mortgage offered by the lender.</p>	<p>Explain below how the plan is being modified:</p> <p>Plan provides for payments to date through November and then one final payment, of \$1,918, in December of 2022, to complete the plan. The provision relating to the loan modification was removed because the final loan modification was offered. Any reference to cure or payment of mortgage arrears has been removed since final the final loan modification was provided. Plan now calls for direct payments, no arrears, on the mortgage held by PHH Mortgage Corporation. Plan term reduced to 51 months. Provision in plan relating to cure of arrears as to Navy Fcu auto loan has been removed since the loan has been paid off. No other material changes to the plan. Amended income and expense schedules to be filed, but not simultaneously with the Modified Plan.</p>
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Are Schedules I and J being filed simultaneously with this Modified Plan?

☐ Yes

☒ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: December 13, 2022

/S/ KIM WORTHINGTON
Debtor

Date: _____

Joint Debtor

Date: December 13, 2022

/S/ HERBERT B. RAYMOND, ESQ.
Attorney for Debtor(s)

In re:
Kim Y. Worthington
Debtor

Case No. 18-28670-JKS
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Dec 16, 2022

User: admin
Form ID: pdf901

Page 1 of 3
Total Noticed: 26

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 18, 2022:

Recip ID	Recipient Name and Address
db	+ Kim Y. Worthington, 290 Conklin Avenue, Hillside, NJ 07205-1447
517764087	+ AHS Hospital Corp., PO Box 35510, Newark, NJ 07193-0001
517764088	+ Atlantic Health, PO Box 1905, Morristown, NJ 07962-1905
517764089	+ Atlantic Health Systems, Morristown Memorial Hospital, PO Box 10219, Newark, NJ 07193-0219
517764096	+ Newark Firemans Fcu, 106 Fleming Ave, Newark, NJ 07105-4015
517764098	+ Overlook Hospital, PO Box 102000, Newark, NJ 07193-0001
517764102	+ Summit Radiological Associates, 151 Summit Avenue, Summit, NJ 07901-2813

TOTAL: 7

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	Email/Text: usanj.njbankr@usdoj.gov	Dec 16 2022 20:31:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+ Email/Text: ustpreion03.ne.ecf@usdoj.gov	Dec 16 2022 20:31:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
cr	+ Email/Text: RASEBN@raslg.com	Dec 16 2022 20:31:00	HSBC BANK USA, NATIONAL ASSOCIATION, AS TRUSTEE FO, RAS Citron, LLC, 130 Clinton Road, Suite 202, Fairfield, NJ 07004-2927
517764086	+ Email/Text: backoffice@affirm.com	Dec 16 2022 20:32:00	Affirm Inc, Affirm Incorporated, PO Box 720, San Francisco, CA 94104-0720
517764090	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Dec 16 2022 20:44:09	Capital One, Attn: Bankruptcy, PO Box 30285, Salt Lake City, UT 84130-0285
517824250	Email/PDF: AIS.cocard.ebn@aisinfo.com	Dec 16 2022 20:44:29	Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
517764091	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Dec 16 2022 20:31:00	Comenity Bank/Pier 1, Attn: Bankruptcy Dept, PO Box 182125, Columbus, OH 43218-2125
517764092	+ Email/Text: mrdiscen@discover.com	Dec 16 2022 20:31:00	Discover Financial, PO Box 3025, New Albany, OH 43054-3025
517824354	+ Email/Text: BKEBN-Notifications@ocwen.com	Dec 16 2022 20:31:00	HSBC BANK USA, NATIONAL ASSOCIATION, AS TRUSTEE FO, ATTN: Cashiering Department, 1661 Worthington Road, Suite 100, West Palm Beach, FL 33409-6493
517852683	+ Email/Text: RASEBN@raslg.com	Dec 16 2022 20:31:00	HSBC Bank USA, National Association, RAS Citron, LLC, 130 Clinton Road, Suite 202, Fairfield, NJ 07004-2927
517764093	+ Email/Text: ext_ebn_inbox@navyfederal.org	Dec 16 2022 20:32:00	Navy FCU, Attn: Bankruptcy, PO Box 3000, Merrifield, VA 22119-3000
517764095	+ Email/Text: ext_ebn_inbox@navyfederal.org	Dec 16 2022 20:32:00	Navy Federal Credit Union, Attn: Bankruptcy, PO Box 3000, Merrifield, VA 22119-3000

District/off: 0312-2

User: admin

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Date Rcvd: Dec 16, 2022

Form ID: pdf901

Total Noticed: 26

517764097	+ Email/Text: BKEBN-Notifications@ocwen.com	Dec 16 2022 20:31:00	Ocwen Loan Servicing, LLC, Attn: Research/Bankruptcy, 1661 Worthington Road, Suite 100, West Palm Beach, FL 33409-6493
517764099	+ Email/Text: RASEBN@raslg.com	Dec 16 2022 20:31:00	RAS Citron, LLC, 130 Clinton Rd., Ste. 202, Fairfield, NJ 07004-2927
517764100	+ Email/Text: RASEBN@raslg.com	Dec 16 2022 20:31:00	Robertson, Anschutz, & Schneid, P.L., 6409 Congress Avenue, Ste. 100, Boca Raton, FL 33487-2853
517764101	+ Email/Text: clientservices@simonsagency.com	Dec 16 2022 20:32:00	Simons Agency, Inc., Attn: Bankruptcy, 4963 Wintersweet Dr., Liverpool, NY 13088-2176
517764103	Email/Text: TFS_Agency_Bankruptcy@toyota.com	Dec 16 2022 20:31:00	Toyota Motor Credit Co, Toyota Financial Services, PO Box 8026, Cedar Rapids, IA 52408
517868096	+ Email/Text: ToyotaBKNotices@nationalbankruptcy.com	Dec 16 2022 20:31:00	Toyota Lease Trust, c/o Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
518302408	Email/PDF: bncnotices@becket-lee.com	Dec 16 2022 20:44:22	Toyota Lease Trust, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701

TOTAL: 19

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
517764094	*+	Navy FCU, Attn: Bankruptcy, PO Box 3000, Merrifield, VA 22119-3000

TOTAL: 0 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 18, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 13, 2022 at the address(es) listed below:

Name	Email Address
Aleisha Candace Jennings	on behalf of Creditor HSBC BANK USA NATIONAL ASSOCIATION, AS TRUSTEE FOR SG MORTGAGE SECURITIES TRUST 2006-OPT2, ASSET BACKED CERTIFICATES, SERIES 2006-OPT2 ajennings@raslg.com
Charles G. Wohlrab	on behalf of Creditor HSBC BANK USA NATIONAL ASSOCIATION, AS TRUSTEE FOR SG MORTGAGE SECURITIES TRUST 2006-OPT2, ASSET BACKED CERTIFICATES, SERIES 2006-OPT2 cwohrlab@raslg.com
Denise E. Carlon	on behalf of Creditor Toyota Lease Trust dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Harold N. Kaplan	on behalf of Creditor HSBC BANK USA NATIONAL ASSOCIATION, AS TRUSTEE FOR SG MORTGAGE SECURITIES

District/off: 0312-2

User: admin

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Date Rcvd: Dec 16, 2022

Form ID: pdf901

Total Noticed: 26

TRUST 2006-OPT2, ASSET BACKED CERTIFICATES, SERIES 2006-OPT2 hkaplan@rasnj.com, kimwilson@raslg.com

Herbert B. Raymond

on behalf of Debtor Kim Y. Worthington herbertraymond@gmail.com
raymondmail@comcast.net;bankruptcyattorneys@comcast.net;herbertraymond@gmail.com;carbonell_c@hotmail.com;kdelyon.ra
ymond@gmail.com;herbertraymond5967@yahoo.com;raymondlaw5622@gmail.com;courtemails789@gmail.com

Keri P. Ebeck

on behalf of Creditor Navy Federal Credit Union KEBECK@BERNSTEINLAW.COM jbluemle@bernsteinlaw.com

Kimberly A. Wilson

on behalf of Creditor HSBC BANK USA NATIONAL ASSOCIATION, AS TRUSTEE FOR SG MORTGAGE SECURITIES
TRUST 2006-OPT2, ASSET BACKED CERTIFICATES, SERIES 2006-OPT2 k_wilsonlaw@comcast.net,
courtdocs_kwlaw@comcast.net;kwlawoffices@gmail.com

Laura M. Egerman

on behalf of Creditor HSBC BANK USA NATIONAL ASSOCIATION, AS TRUSTEE FOR SG MORTGAGE SECURITIES
TRUST 2006-OPT2, ASSET BACKED CERTIFICATES, SERIES 2006-OPT2 bkyecf@rasflaw.com,
bkyecf@rasflaw.com;legerman@raslg.com

Marie-Ann Greenberg

magecf@magtrustee.com

Shauna M Deluca

on behalf of Creditor HSBC BANK USA NATIONAL ASSOCIATION, AS TRUSTEE FOR SG MORTGAGE SECURITIES
TRUST 2006-OPT2, ASSET BACKED CERTIFICATES, SERIES 2006-OPT2 sdeluca@hasbanilight.com, hllawpc@gmail.com

Sindi Mncina

on behalf of Creditor HSBC BANK USA NATIONAL ASSOCIATION, AS TRUSTEE FOR SG MORTGAGE SECURITIES
TRUST 2006-OPT2, ASSET BACKED CERTIFICATES, SERIES 2006-OPT2 smncina@raslg.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 12